

District Judge Marsha J. Pechman

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

XU LI and BRIGHT LIFE  
INTERNATIONAL INC.,

Plaintiffs,

v.

ALEJANDRO MAYORKAS and UR  
MENDOZA JADDOU,

Defendants.

Case No. 2:23-cv-01931-MJP

STIPULATED MOTION TO HOLD  
CASE IN ABEYANCE AND  
[~~PROPOSED~~] ORDER

Noted for Consideration:  
January 23, 2025

Plaintiffs and Defendants, by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to continue to stay these proceedings for 120 days. Plaintiffs bring this litigation pursuant to the Administrative Procedure Act to challenge U.S. Citizenship and Immigration Services (“USCIS”) denial of the Form I-140 filed on Plaintiff Xu Li’s behalf as erroneous, arbitrary and capricious and contrary to law. For good cause, the parties request that this case be stayed through May 23, 2025.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to

1 control the disposition of the causes on its docket with economy of time and effort for itself, for  
2 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.  
3 P. 1.

4 With additional time, this litigation may be resolved in its entirety. Plaintiffs intend to  
5 withdraw their pending Form I-140, Petition for Alien Worker, cure deficiencies and re-file a Form  
6 I-140 using premium processing that allows USCIS to process the application within a 45-day  
7 processing timeframe.<sup>1</sup> USCIS will consider this new application and supporting evidence  
8 separately from the Form I-140 at issue in this litigation. Once USCIS issues a decision, Plaintiffs  
9 agree to voluntarily dismiss this litigation.

10 Additional time is required to allow these steps to be completed. Therefore, the parties  
11 believe good cause exists to stay this proceeding for 120 days, to save the parties and the Court  
12 from spending unnecessary time and judicial resources on this matter. Accordingly, the parties  
13 jointly stipulate and request that the Court stay these proceedings through May 23, 2025. The  
14 parties will submit a joint status report on or before May 23, 2025.

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24 <sup>1</sup> See USCIS.gov, How Do I Request Premium Processing? available at <https://www.uscis.gov/forms/all-forms/how-do-i-request-premium-processing> (last accessed Jan. 23, 2025).

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DATED this 24th day of January, 2025.

Respectfully submitted,

TESSA M. GORMAN  
United States Attorney

s/ Michelle R. Lambert

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*I certify that this memorandum contains 326 words,  
in compliance with the Local Civil Rules.*

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*Attorneys for Plaintiffs*

**[PROPOSED] ORDER**

The parties having stipulated and agreed, it is hereby so ORDERED. The parties shall file a joint status report on or before May 23, 2025.

DATED this 24th day of January, 2025.



MARSHA J. PECHMAN  
United States District Judge